

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:20 CR 72 SEP DDN
)	
CORDELL NICHOLS,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Geoffrey S. Ogden, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with being a felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g).
2. Pursuant to Title 18, United States Code, Section 3142(g),
 - (a) the weight of the evidence against defendant;
 - (b) defendant's history and characteristics; and
 - (c) the nature and seriousness of the danger to any person or the community that would be posed by defendant's release

warrant defendant's detention pending trial.

3. The defendant's history and characteristics support detention. The defendant has at least four felony convictions that the Government is aware of, including a 2011 conviction for unlawful use of a weapon, a 2013 conviction for receipt of stolen property, a 2014 conviction for Burglary 2nd, and a second conviction for Burglary 2nd in 2017. Moreover, the defendant was began field supervision in December 2018 after being released from the Missouri Department of Corrections for his 2017 burglary conviction, and was on supervision at the time of arrest for the instant offense. Finally, the defendant has been charged in St. Louis City for the instant offense, as well as a Robbery 2nd for an incident that took place on October 17, 2019. At the time of the instant indictment, the Defendant was being held in state custody for his pending charges in the City of St. Louis. Taken together, the defendant's criminal history alone coupled with the instant offense warrant detention.

4. The weight of the evidence also supports detention. The defendant was arrested with a firearm on his person. The defendant is alleged to have boarded a Metro train while carrying the firearm. A metro security officer observed the defendant with a bulge underneath the back of his sweatshirt, which the officer recognized as a concealed firearm. When St. Louis Metropolitan Police (SLMPD) arrived and approached the defendant, they immediately asked the defendant if he had a gun on him. The defendant responded in the affirmative. Officers then conducted a pat-down search of the defendant and located the firearm in a string bag hanging in the middle of the defendant's back. The defendant was booked on these charges and has been in custody ever since.

5. On January 9, 2020, the defendant was recorded making a telephone call from jail to an individual suspected to be the defendant's grandmother, and another unknown male named

“George.” During the call, the defendant was admonished by both parties for carrying a gun while knowing he is a convicted felon. The defendant acknowledged carrying the gun and was apologetic. The defendant referenced both his robbery charge and his felon in possession charge, and stated he is good for the gun but that he didn’t rob anyone.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant’s appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant’s initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN
UNITED STATES ATTORNEY

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